

IV. REMARKS

1. Claims 1-18 remain in the application. Claims 1-3, 11, and 13 have been amended.
2. The specification has been amended to update the priority claim.
3. A terminal disclaimer is enclosed to overcome the non-statutory double patenting rejection.
4. Applicants respectfully submit that claims 1-18 are patentable over the combination of Friedrich et al. (EP 0 360 135, "Friedrich") in view of the admitted prior art.

The combination of Friedrich and the admitted prior art fails to disclose or suggest a communication device comprising at least one processor to run at least two operating systems, where the at least two operating systems include a first operating system comprising a first group of threads, and a second operating system comprising a second group of threads, where of the at least two operating systems, the first operating system relates to running of mobile station functions, and the second operating system relates to running of data processing functions, as recited by claims 1 and 3.

The combination of Friedrich and the admitted prior art also fails to disclose or suggest a communication device with a processor to run a first operating system comprising a first group of threads and to run a second operating system comprising a second group of threads, at least a first user interface and a second user interface, and mobile station functions and data processing functions, where the first operating system relates

to running of mobile station functions and the second operating system relates to running of data processing functions, as recited by claim 11.

The admitted prior art cited by the Examiner teaches away from one processor running at least two operating systems. The Examiner cites page 3 of the present application, which clearly states on lines 10-13 that the data processing portion and the mobile station embodiments each have a processor and an operating system of their own.

The admitted prior art describes the Nokia 9000 Communicator as a device with two processors: one processor for the telephone operating system and the other for the PDA operating system. Therefore, the combination of Friedrich and the admitted prior art description of the Nokia 9000 Communicator does not yield one processor that runs at least two operating systems.

Furthermore, the cited combination does not disclose or suggest two user interfaces used with a single processor. The cited admitted prior art clearly teaches one processor and one operating system per user interface. The combination of Friedrich and the prior art description of the Nokia 9000 Communicator would yield one operating system arranged to be driven by one processor and the other operating system driven by another processor. There is no teaching or motivation that one processor should be deleted, particularly when each operating system has a separate user interface (keypad and display).

Applicants question the reasoning leading to the statement that the combination of the Friedrich device and the Nokia device would clearly be a device with a single processor running an operating system adapted for two different user interfaces and

that it would have been obvious to "utilize the results of earlier product development ... in a single processor solution."

Immediately after the quoted section, the present specification describes the disadvantages of such a system that the present claims seek to overcome. In particular, prior art systems generally cannot run all previously developed application programs without modifications, and changes to applications that do run must account for both operating systems. Furthermore, some systems only allow one operating system to be used at a time causing a processor reactivation when switching to the other operating system.

There is nothing in the combination of the admitted prior art and Friedrich that would suggest the features of claim 1 of the present invention to one skilled in the art, particularly at the time of the present invention. Applicants submit that these features would not have occurred to a person skilled in the art at that time, particularly in the case of two user interfaces, one being used for critical telecommunication functions. The basis for this can be found in the present specification beginning on page 3, line 5 and going forward, which clearly describes each user interface as having a separate processor, and the reason for this.

It would be obvious to one skilled in the art that to "utilize previously developed product as much as possible" could mean to utilize a Nokia 2110 phone with the hardware including the processor, and combining it with the communicator part. The present office action suggests the development work could be utilized with a phone X in such a way that one takes phone X and combines it with the communicator, but if this were in fact done, the result would still be two processors. For example,


the successor of the Nokia 9000 Communicator is the Nokia 9110 Communicator, in which the telephone part and hardware was the same as in the basic phone model Nokia 6110, where the product development of the 6110 series was utilized. Now, if the aim had been to do the same for the successor of Nokia 9110 Communicator, one would have looked for a phone with no processor at all, or a communicator part with no processor!

For utilizing the product development of two devices, one does not delete one processor without a separate teaching, and this cannot be found in any prior art. Therefore, it appears that the phrase "utilize previously developed product as much as possible" has been taken out of context and used improperly in the present rejection.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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15 December 2004
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